

BESIEGED IN THE OFFICE OF MAGOON

WILD RESOLUTION TO BE SMOTHERED

(Associated Press Cable to The Star.)

CARSON, Nevada, February 4.—The sensational resolution which excited the criticism of the President, classing Japanese as a menace to civilization and referring to them as parasites on the world, has been referred by the Senate to the Judiciary Committee where it is expected that it will be smothered.

EXTREME MEASURES MEET DEFEAT

SACRAMENTO, February 4.—Anti-Japanese bills and bills seeking to prohibit aliens from becoming directors in corporations existing under the law of this state, and bills segregating undesirable classes in communities were today defeated in the Assembly.

JAPANESE SCHOOL QUESTION AGAIN

SACRAMENTO, February 4.—Motions to reconsider measures compelling Japanese to attend separate schools have been passed in the Assembly.

BUFFALO AT FRIED

SAN FRANCISCO, February 4.—U. S. S. cruiser Buffalo arrived here today from Honolulu.

TORPEDOES ARRIVE

SAN FRANCISCO, February 4.—The torpedo boat destroyer flotilla of the Pacific fleet arrived here today.

LOS ANGELES, February 4.—"Lucky" Baldwin, yesterday reported dying, shows marked improvement today.

SACRAMENTO, February 4.—The anti-race track gambling bill has passed the Senate and goes to the Governor for his signature today.

WASHINGTON, D. C., February 4.—President Roosevelt's secretary, Loeb, will, upon the retirement of this administration, become Collector of Customs for the port of New York.

INVESTORS WANT TO COME HERE

The following is Secretary Wood's sent to the Railroad Editors of some report to the Promotion Committee one hundred and fifty leading papers, for the current week: Chairman and Members of the Hawaii among railway and steamship men Promotion Committee.

Gentlemen:—By the "Mongolia." We have reason to expect much sailing January 30th, we forwarded from the visit of Messrs. Calvin and some four thousand pieces of first Bancroft. These gentlemen will be class matter by mail, as well as a large number of folders and marked newspapers. By the "Moana" sailing yesterday, we mailed several hundred marked copies of our daily papers referring to the visit of those prominent railway officials, Mr. E. K. Calvin and Mr. W. H. Bancroft. These we

(Continued on Page Four.)

Over Head Of Mayor

BOARD PASSES ORDINANCES—THE BISHOP ESTATE MAKES COMPLAINTS—SHORT MEETING.

A thirty minute session of the City and County Board of Supervisors this morning, starting at 10 o'clock, witnessed the final passage over the head of His Honor, the Mayor, of two ordinances and a resolution.

The first ordinance passed notwithstanding the disapproval of Mayor Fern was that which abolished all offices and employments which were authorized or established by the preceding administration, the County of Oahu.

The second ordinance which matured in spite of the Mayor's veto was that which empowers standing committees appointed by the Board to engage or discharge employees at will, and the resolution which obtained over the Mayor's opposition was that which approves all prior acts of this existing board.

In each case Aylett made the motion for reconsideration and in each case Aylett made the motion for passage notwithstanding the disapproval of the Mayor, the Mayor himself put the motions to the Board and they carried with six ayes and McClellan's lone negative.

Two communications were received from F. S. Dodge, superintendent of the Bishop Estate.

The first notified the Board that the tenancy of the County of Oahu to certain Kakaako lots had expired on the last day of last year and that the understanding as to grading had not been fulfilled by the County, and that the Bishop Estate was willing to allow the City and County four months for the removal of surplus material above the official grade of surrounding property, Waikeiki of Canton-Neill's iron works premises, said material to be used in grading Kakaako streets makai of Halekauwila street, preferably Foundry and Coral streets.

The second Dodge communication drew attention to the unsatisfactory condition of the lower end of the Kawaiahae storm drain makai of Ala Moana.

Under the old agreement, says Dodge, made with the trustees of the Bishop Estate, right of way across the estate lands was granted on condition that a concrete retaining wall should be built along the Waikeiki side of the storm drainage ditch, the same to have been completed by February 6 of last year. A year has passed and nothing has been done.

Both Dodge matters were referred to the roads committee of the Board.

Quinn remarked that he had noticed an item in a newspaper to the effect that parks were evidently neglected as to the care of grass. He explained that water had been scarce and apparatus was defective, but these conditions were being remedied.

Quinn also remarked that the Bishop estate seemed mighty particular about some things and not so careful about others, and stated that it would be well to insist that the estate come up to requirements in regard to curbing certain roads.

Adjournment was taken until 7:30 next Tuesday evening.

THOROUGHLY TESTED.

Chamberlain's Cough Remedy has been examined by eminent analytical chemists who certified that it contained no narcotics. It is not only a safe and harmless medicine but the best in use for coughs, colds and croup. For sale by all dealers, Benson, Smith & Co., agents for Hawaii.

Best cup of coffee in the city at New England Bakery.

K. YAMAMOTO.

Wholesale Merchant on Hotel street has received the largest consignment of Japanese goods which he is disposing of at very reasonable prices. Mr. K. Yamamoto is always the first man to import the first crop of goods from Japan, and we can promise the best of treatment from this popular merchant.

ADVISED TO SHOOT

Attorney J. A. Magoon this afternoon authorized the following statement:

"Dr. Atcherley is being held by me in my building. I have instructed him that if he be served with a warrant or other due process of law to submit without resistance or word of protest. But that if anyone attempt to take him, to kidnap him, without such process, he shall shoot and shall shoot to kill."

"To the community I would say that Dr. Atcherley is one of the most harmless men in Honolulu. He has no desire or inclination to do other than is prescribed by the law. When before the police court he did not seek release by writ of habeas corpus, as he could have done, but patiently stood a tedious trial of several days duration in order that the public, as well

FINISH THE DAM IN 4 MONTHS

CAMPBELL WILL ASK NO FURTHER APPROPRIATION AND HOPES FOR QUICK COMPLETION.

The Nuanu dam can be completed in four months of staving, according to Superintendent of Public Works Marston Campbell and, what is perhaps more important in avoidance of pillikia no further appropriation is needed.

Some of the members of the legislature have been visiting the site of the dam and have interviewed Campbell about it. The general result of the investigations appears to be very satisfactory, and much confidence is placed in the completion of the work. Various "charges" similar to those raised by Patterson over a year ago have been revived recently, and they were quickly investigated by men who will have to take the matter up in the legislature.

Campbell, it is stated, will not ask any further appropriation for the dam, but expects to finish it with the sum already set aside.

FEDERAL ARRESTS

Marshal Hendry last night arrested a Chinese named Ong Yong at Waikeiki for harboring a woman for immoral purposes. Also he brought in a Japanese woman named Umeno Shigematsu, an inmate of Yong's house. She is less than three months in this country, hence if convicted is liable to deportation.

U. S. Commissioner George A. Davis is holding an examination of the accused persons this afternoon.

The Japanese liner Chiyo Maru, from San Francisco, got in touch with the Kahuku wireless station this morning. She reported fairly good weather, all well on board and that she would arrive here at 12 o'clock noon tomorrow. The Alameda has no wireless apparatus but will likely show up early tomorrow morning from San Francisco.

February 6, Tag Day, will interest everybody.

Culman's watches are of lasting regularity, made perfect by machines of precision.

File Test On Friday

SUPREME COURT TOMORROW RECEIVES QUESTION OF CITY AND COUNTY PAY.

Papers in the mandamus proceedings against Treasurer Trent to have him show cause why he should not pay wages to road employees as per warrants issued by Auditor Bicknell will be filed by Deputy City and County Attorney Milverton tomorrow, one of the employees under Road Overseer Tom Cummins being the plaintiff in the case.

All that remains to complete the draft of the pleadings is the signature of the Mayor certifying to the fact that the Board of Supervisors, or the majority thereof, today passed over his head the ordinances and resolution which seek to approve all prior acts of the board, which wipe out all offices and employments existing under the old board and which give to standing committees full powers to engage and discharge employees.

MONEY ADVANCED TO ROAD WORKERS

If the Supreme Court should decide, when the case gets to that high bench, that Road Overseer Tom Cummins and his men are not entitled to pay, then Tom Cummins and some others will be out hundreds of dollars, for Tom and certain others have, in the goodness of their hearts, been advancing money to laborers on the roads under the belief that their employment will be sustained.

Since City and County work has been done and since but one set of men have actually done that work and since there is no tangible opposition to the pick and shovel men on the road, no matter what dispute there is in regard to lunas and other bosses, the impression, at least among those advancing money, is that the mere laborer will eventually get his cash.

POPULAR PRICES. The Alexander Young Cafe serves high-class combination lunches and dinners at popular prices.

SALE CLOSES SATURDAY. The dress goods sale at Sachs' closes Saturday. Till then, goods sell at almost half price. Special Saturday.

Fine Job Printing, Star Office.

ATTORNEY HOLDS DR. ATCHERLEY

Habeas Corpus Appeal Taken

MAGOON BUILDING PLACED UNDER GUARD THIS AFTERNOON, WHILE DR. ATCHERLEY REMAINS IN THE OFFICE OF HIS ATTORNEY—ATTORNEY GENERAL SEEKS TO HAVE THE DOCTOR PLACED IN ASYLUM.

Dr. John Atcherley is a prisoner this afternoon in the offices of his attorney, J. A. Magoon.

In the corridor of the building is a big, Hawaiian guard of the insane asylum force, waiting to nab him when he comes out.

On the sidewalk outside stands Detective Jack Kahiki ready to take a hand in case there should be resistance by Atcherley or his friends.

Attorney Magoon has his client locked in a room at the Ewa-mauka end of his building, corner Merchant and Alakea streets. The prisoner has been there since about 10 o'clock this morning.

That briefly relates the situation in the newer turn of the Atcherley case as it has developed today.

The bomb in the matter came from the office of the Attorney-General early this morning. From that office notice was sent to Dr. Peterson, superintendent of the Insane Asylum, that an insane person, to wit, Dr. John Atcherley, who had been regularly committed to the asylum for the insane, was at large in Honolulu, and advises that he be forthwith taken into custody.

In response to this order Dr. Peterson set forth and located Atcherley in the offices of Mr. Magoon. He refused to surrender, upon advice of his counsel; and as Mr. Magoon was obliged to go to court, he locked the Doctor up, as above stated.

Dr. Peterson, still determined to carry out his instructions, left a guard at the building with orders to seize Atcherley as soon as he should come out. Peterson himself then went to the police station and asked for assistance. He did not say he feared trouble, but the extra help was wanted as a safe-guard. A regular police guard was kept there for a while and then Kahiki himself took charge.

When seen early this afternoon Mr. Magoon seemed greatly annoyed and heatedly declared: "This is one of the greatest outrages ever perpetrated or sought to be perpetrated in any community. Dr. Atcherley has been released by the court after due process of law, and the move of the Attorney-General is revolutionary, despotic. I never heard of such an outrage in any

civilized community. Yes, Dr. Atcherley is here. I do not know how long he will remain in that office. I am at this moment waiting to see what move his lawyers will next take. Until then I cannot act."

The move of the Attorney-General was a little different from what had been looked for. It was felt certain that the department would, following the release of the patient pending appeal, take some steps to assure the public of his inability to do harm to anyone. A peace bond or guarantee of responsible people to take and keep him in hand was thought of, but the drastic move of the Attorney-General did not apparently, enter into the calculations of anyone.

Dr. Atcherley has been at large since his release by Judge Robinson last week. Two days ago Mrs. Atcherley tried to purchase ammunition at a hardware store. She explained that it was to be used to protect the doctor from kidnappers. This incident had much to do in convincing the authorities that Atcherley should be taken in hand.

At 1:30 this afternoon guards were placed on all sides of the Magoon building and at the front, street door. When this was done Mr. Magoon came down to the street and warned Officer Madeiros, who was on duty there, to leave. Madeiros refused, saying he had been placed there by the sheriff. "All right," Mr. Magoon replied, "if you get hurt it will be your own lookout."

Deputy Attorney General E. W. Sutton this morning filed with the clerk of the Supreme Court the record of appeal from the order of Judge Robinson, under a writ of habeas corpus prosecuted by J. Alfred Magoon for petitioner, releasing Dr. John H. Atcherley from the custody of Dr. Peterson, superintendent of the Insane Asylum.

It is probable that the case will (Continued on Page Eight.)

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